

**FULBRIGHT & JAWORSKI L.L.P.**  
 A REGISTERED LIMITED LIABILITY PARTNERSHIP  
 600 CONGRESS AVENUE, SUITE 2400  
 AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201

**RECEIVED**  
**CENTRAL FAX CENTER**

**FEB 21 2008**

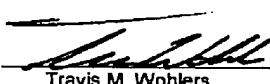
FACSIMILE: 512/536-4598

**FACSIMILE TRANSMISSION FROM: 512.536.4598**  
 If any difficulties occur during transmission, **512.474.5201**

**DATE:** February 21, 2008**FILE:** MYOG:024USC1

10200023

**TO:** Clerk of the Board**COMPANY:** Board of Patent Appeals and Interferences Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office**FAX NO.:** (571) 273-8300 - USPTO Central Fax**SENDER'S****FROM:** Steven L. Highlander **PHONE:** (512) 536-3184**RETURN  
ORIGINAL** Christopher Jackson **TO:****FLOOR:** 20th**NO. OF PAGES TO FOLLOW:** 2**ORIGINAL: WILL NOT FOLLOW****COMMENTS:****APPEAL NO. 2005-4253**  
**APPLICATION NO. 10/043,658**

<b>CERTIFICATE OF FACSIMILE</b> 37 C.F.R. §1.8	
I hereby certify that this correspondence is being sent via facsimile to USPTO Central Fax 571-273-8300 with the Board of Patent Appeals and Interferences; United States Patent and Trademark Office; P.O. Box 1450; Alexandria, Virginia 22313-1450, on the date below:	
<u>February 21, 2008</u> Date	 Travis M. Wohlers

**CONFIDENTIALITY NOTICE:** Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Fulbright & Jaworski L.L.P. at the above address via the U.S. Postal Service at our expense.

25141915.1

HOUSTON • WASHINGTON D.C. • AUSTIN • SAN ANTONIO • DALLAS • NEW YORK • LOS ANGELES • MINNEAPOLIS • LONDON • HONG KONG

RECEIVED  
CENTRAL FAX CENTER

002

FEB 21 2008

Page 1



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

MAILED

FEB 04 2008

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Steven L. Highlander, Esq.  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, TX 78701

Appeal No: 2007-4153  
Appellant: Eric N. Olson  
Application No: 10/043,658  
Hearing Room: B  
Hearing Docket: A  
Hearing Date: Tuesday, March 11, 2008  
Hearing Time: 09:00 AM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

FULBRIGHT & JAWORSKI, LLP  
IPT DOCKETING  
Docketed  Not Rec'd  Confirmation   
Initials 1st DM Initials 2nd DN

FEB 08 2008

Attorney SLH  
Docket No. AO-M406-024 USCI  
Action Rec'd 3/11/08 Date Due

**NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

*Respond to Notice  
of Oral Hearing*

*2/25/08*

*Oral Hearing  
3/11/08*

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:  HEARING ATTENDANCE CONFIRMED  HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

02/21/08

37,642

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/gcounsel/contact.htm#bpai\\_contacts](http://www.uspto.gov/web/offices/dcom/gcounsel/contact.htm#bpai_contacts)